

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

NATHAN et al

Serial No. 08/817,438

Filed: October 2, 1997

Title: **SYSTEM FOR DISTRIBUTING AND SELECTING AUDIO AND VIDEO INFORMATION AND METHOD IMPLEMENTED BY SAID SYSTEM**

Atty Dkt. 871-36

C#/M#

Group Art Unit: 2711

Examiner: A. Berhe

Date: January 6, 1999

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir,

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of the reference(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ This Information Disclosure Statement ("IDS") is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☒ This IDS is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- ☐ a. I hereby certify that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR§1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).
- ☒ c. Attached is our check in the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Dep Acct No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

- ☐ This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the IDS be considered. Attached is our check in the amount of \$130.00 to cover payment of the petition fee under 37 C.F.R. 1.17(i)(1). Please credit or debit Deposit Account No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

- ☐ a. I hereby certify that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR§1.56(c) more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(2).

- ☒ Relevance of the non-English language reference(s) is provided in translations attached to the subject references, with the exception of German Patent Publication 4244198, the relevance of which is provided in its U.S. counterpart, U.S. Patent No. 5,691,964..

- ☐ The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- ☐ A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix hereto.
- ☒ The Examiner's attention is directed to the following co-pending U.S. patent applications:

USSN 08/817,690 filed 7/23/97, (Our Ref.: 871-30)
USSN 08/817,689 filed 6/13/97 (Our Ref.: 871-31)
USSN 08/817,528 filed 8/5/97 (Our Ref.: 871-32)
USSN 08/817,968 filed 10/2/97 (Our Ref.: 871-33)
USSN 08/817,437 filed 6/12/97 (Our Ref.: 871-34)
USSN 08/817,426 filed 6/19/97 (Our Ref.: 871-35)
USSN 08/935,826 filed 9/23/97 (Our Ref.: 871-38)

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which are directed to related technical subject matter. The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

☐ Copies of the references were cited by or submitted to the Office in parent Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. 120. Thus, Form PTO1449 is attached without copies of these references. 37 C.F.R. 1.98(d).

☐ Other.

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Signature: Alan M. Kagen